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July 26, 2018

VIA ECF

The Honorable Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, New York 10007

Re: *U.S. Bank National Association v. Windstream Services, LLC*,
17-CV-07857 (S.D.N.Y.)

Dear Judge Furman:

We represent Windstream Services, LLC (“Services”) in the above-referenced action and write regarding two issues that arose at yesterday’s hearing: (i) Services’ affirmative deposition designations of Ms. Moody, and (ii) the production date of WIN Ex. 183.

Regarding Ms. Moody’s deposition designations, while Services takes issue with Aurelius’s argument that they should not be admitted, to avoid an unnecessary dispute, Services hereby withdraws those affirmative designations. For the Court’s reference, Services’ affirmative designations of Ms. Moody’s testimony were 11:7-13:22, 159:21-160:11, 160:24-161:20, 171:24-173:4, 173:5-174:2, 174:7-175:11, 197:7-198:14, 211:11-212:15, 234:13-235:15, 274:14-275:5.

With respect to WIN Ex. 183 (Services’ September 22, 2017 Board Materials), it was produced on April 23, 2018 -- after Mr. McCarty produced his report on April 20, 2018.

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Respectfully submitted,

/s/ Aaron H. Marks

Aaron H. Marks

cc: All Counsel of Record (via ECF)